UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK Filed 05/02/2008 Page 1 of 1 PROCAPUI-PRODUTORES de CAMAROES de ICAPUI LTDA. 07 Civil Action File No. 6627-BSJ Plaintiff, v) **DECLARATION OF** MARCIAL MARCIAL GERALD LAYANI, G. F. HIGGINS, GERALD LAYANI INC., THERESA HIGGINS, as Executrix of THE ESTATE OF GERALD FRANCIS HIGGINS, THOMAS HIGGINS, ROBERT HIGGINS, RICHARD RUBIN and NOEL BLACKMAN, Defendants. G.F. HIGGINS, INC., THERESA HIGGINS, as **Executrix of the Estate of GERALD FRANCIS** HIGGINS, THOMAS HIGGINS and ROBERT HIGGINS, Third Party and Supplemental Plaintiffs, v. JOZEF ANAVIAN, Third Party and Supplemental Defendant. MARCIAL GERALD LAYANI, declares the following under penalty of perjury

MARCIAL GERALD LAYANI, declares the following under penalty of perjury under the laws of the United States of America:

1. I am the person who was named as a Defendant in the original dismissed action although I have not been served with any process nor have I appeared or otherwise

